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Appln No. 10/642,338
Amdt. Dated September 15, 2004
Response to Office action of July 29, 2004

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REMARKS/ARGUMENTS

The Office Action has been carefully considered. The issues raised are traversed and addressed below with reference to the relevant headings and paragraph numbers appearing under the Detailed Action of the Office Action.

Claim Rejections – 35 USC § 103

In this section of the Office Action the Examiner has objected to the claims as being unpatentable over Godley in view of Johnson, Chaloupka, or Blair.

Whilst we respectfully submit that patentable distinctions do exist in the claims as will be discussed in more detail below, we are revising the claims to introduce further distinctions over the prior art in order to obtain a speedy allowance of the application. In this regard, claim 1 has been amended to incorporate the features of previous dependant claims 3, 4 and 5 which have now been cancelled from the application. Similar amendments have also been made to the independent claim 12 with dependant claims 15 and 16 being cancelled accordingly.

Accordingly, claim 1 now includes the feature of the support surface having a corner which is lower than other portions of the support surface and the two side walls which extend substantially perpendicularly to each other and meet so as to define a corner. These features are not taught or suggested in Godley as will be discussed in more detail below.

As far as distinctions over Godley are concerned, the Examiner has indicated that Godley describes a drive system in which pages are directed against the two sidewalls of the tray before floating down into position on the support surface and of the stack. We have reviewed the prior art specification and note that in fact Godley talks about the pages falling into the stack where as the current claim requires that the pages float into position on the support surface or the stack and we respectfully submit that this represents a difference between the present invention and the prior art. In particular, in the system of the prior art the intention is that as the sheets pass through the drive 28/30 the sheets are bent at their edges to ensure that they stay generally horizontal as they drop. This is described on pages 9 and 10 of the specification. As a result, as the sheets enter the frame they will fall substantially levelly and air will therefore be disbursed from the front and back of the sheet causing the sheets to fall relatively rapidly. Thus, even though the document describes that the enclosed sidewalls retain air between the sheets as they fall, the effects of this are minimal and the sheets therefore fall as opposed to float.

As further evidence of the fact that the sheets are intended to fall and not float we would highlight that as mentioned by the Examiner a blower may be used to place a compressive force on the sheet forcing them down against the stack as they enter the stack.

In contrast to this, the present invention utilises an arrangement in which sheets are adapted to float into position on the stack so that they may be released at a greater distance from the stack. We would note that in this regard, as shown in figures 8, 9 and 10, the sheets do not remain level in order to ensure that a pocket of air is captured as shown in figure 9. In addition to this, we would highlight that as shown in figure 7 of the current specification there is a significant distance between the drive mechanism formed from the rollers 12 and the position of the stack. This is in contrast to Godley in which the rollers 28/30 are positioned directly adjacent the stack.

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Furthermore, Godley describes that a pair of motorised oscillating fingers 12 are provided to ensure that the sheets abut against the end stops 18 to ensure even stacking, as set out on page 10. This highlights that the sheets fall and therefore have to additionally urged into position, whereas in the present invention the sheets float directly into position.

However, in order to define further distinctions, the claim has been clarified to set out that the pages abut against two side walls that meet so as to define a corner. We would highlight that this feature is also not shown in Godley et al. which instead uses two end stops 18.

We respectfully submit that the use of the end stops 18, as opposed to the use of side walls defining a corner is not an insignificant difference. In particular, the use of end stops 18 means that air escapes from under the front of the sheet as the sheet falls into position in the arrangement of Godley. In contrast to this, the use of two side walls which extend perpendicularly with respect to each other, and meet to define a corner, mean that a pocket of air becomes trapped under the sheet to thereby help cause the sheets to float into position on the stack.

We therefore respectfully submit that the provision of floating the sheets into position on the stack is significantly different to the arrangement taught in Godley.

The Examiner has also correctly highlighted that Godley does not describe the use of a vibrator, but indicates that this is shown for example in Johnson, Chaloupka and Blair. However, we respectfully submit that it would not be obvious to combine the teaching of these documents with Godley. In particular, Godley uses a specific arrangement of falling sheets, together with the oscillating fingers 12, to ensure that the sheets are correctly positioned within the stack. In contrast to this, the teaching of Johnson, Chaloupka and Blair is to use a vibratory support surface to ensure that the sheets are aligned.

These therefore teach two independent mechanisms both of which are capable of ensuring the sheets are aligned in use. We would therefore submit that there is therefore no desire for a skilled person to consider combining these documents and utilising both floatation and a vibratory support surface.

In contrast to this, the current application recognises that in some circumstances additional alignment is desirable and accordingly has taken the inventive step of combining two different mechanisms for aligning sheets into a common system. We respectfully submit that this is not an obvious development over the prior art.

In any event, we believe that the claim is novel and inventive for the reasons set out above and as similar amendments have been made to claim 12, similar arguments apply.

In light of the above, it is respectfully submitted that the objections and claim rejections have been successfully traversed and addressed. The amendments do not involve adding any information that was not already disclosed in the specification, and therefore no new matter is added. Accordingly, it is respectfully submitted that the claims 1 to 19, and the application as a whole with these claims, are allowable, and a favourable reconsideration is therefore earnestly solicited.

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It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application are courteously solicited.

Very respectfully,

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